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February 12, 2019

VIA ECF

Hon. Margo K. Brodie
United States District Judge
Eastern District of New York
225 Cadman Plaza East, Courtroom 6F
Brooklyn, NY 11201

RE: *Capogrosso v. Gelbstein et al.*, No. 18-cv-2710 (E.D.N.Y.)

Dear Judge Brodie:

This Office represents defendants Gelbstein, Vahdat, Traschen, Morgan (formerly Prickett-Morgan), Calvo, Flanagan and Palmieri (collectively, the "State Defendants") in the above-referenced action. Plaintiff recently submitted to the Court a Request for Extension of Time to File Objections to the Report and Recommendation (ECF Doc. No. 54), wherein he requested a 14 day extension, from February 13 to February 27, to respond to Magistrate Judge Bloom's Report and Recommendation, dated January 30, 2019. Plaintiff's request did not comply with Your Honor's Rule 1(F), which requires that any request for an extension state, *inter alia*, "Whether the adversary consents, and, if not, the reasons given by the adversary for refusing to consent."

If Plaintiff had asked the State Defendants for consent, I would have informed him that they consent to no more than a one-week extension, provided that they are granted the same extension of time to submit their own objections and responses. Accordingly, we respectfully request that, should the Court grant an extension to Plaintiff, the State Defendants be given the same extension of time to submit their own objections and responses.

Hon. Margo K. Brodie

February 12, 2019

Page 2 of 2

Respectfully submitted,

/s/ Mark Siegmund

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